

SPECIFIC WAIVER COVER SHEET
CALIFORNIA STATE BOARD OF EDUCATION
JANUARY 2004 AGENDA
Item No. W-15

TITLE: Request by East Side Union High School District to waive <i>Education Code</i> (EC) Section 56366.1(a) certification for an uncertified nonpublic school, Heartspring School located in Wichita, Kansas to provide services to one special education student, Ryan L. CDSIS: 4-11-2003	<u> X </u> ACTION <u> </u> INFORMATION <u> </u> PUBLIC HEARING <u> </u> CONSENT
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RECOMMENDATION:

The Department recommends: ☒ Approval ☐ Denial

Summary of Previous State Board of Education Discussion and Action:

The State Board of Education has taken action on several previous nonpublic school certification waivers.

Summary of Key Issue(s):

The **East Side Union High School District (ESUHSD)** requests a waiver of EC 56366.1(a). This law establishes standards for non-profit, nonsectarian schools and agencies to follow to be certified to provide special education and designated instruction services (DIS) to students with disabilities. The district requests this waiver in order to place student, **Ryan L.** at **Heartspring School** located in **Wichita, Kansas**.

The placement is pursuant to the settlement agreement between the Oak Grove Elementary District and Ryan's parents. The East Side Union High School District assumed responsibility for Ryan's education beginning with the 2002-2003 school year.

The student's handicapping condition is Down's syndrome. The district did a search to find a placement but none of the programs were appropriate. The district's IEP team made a determination that this is the appropriate placement. The school was California certified in October of this year.

The **Heartspring Academy** staff are highly trained and devoted to students with Down's Syndrome.

The Department recommends this waiver request be approved.

Authority for the waiver: *Education Code* (EC) Section 56101

Bargaining unit(s) consulted on: 10/30/03

Position of bargaining unit (choose only one):

☐ Neutral

☒ Support

☐ Oppose

Name of bargaining unit representative: Don McKell, Filiberto Zamora

Local board approval date: SELPA approval 11/17/03

Effective dates of request: 9/1/03-12/31/03

Fiscal Analysis (as appropriate): No known fiscal impact.

Background Information: Waiver request forms and supporting documents are attached to this summary.